

2. Migration, EU und Türkei

Migration as a “Heated Question” in Turkey-EU Negotiations¹

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Turkey’s relations with European countries have always fluctuated during history. However, since the establishment of the European Union, all differentiated experiences and relations with European countries have been amalgamated and started to be represented by a single body. Even though, the reactions to the membership of Turkey to the European Union are not uniform, the voice of the opponents seems to be more effective than that of the allies. This paper aims to discuss the arguments raised by the opponent front, which are related to migration issues.

It is widely acknowledged that Turkey’s demographic features and geographical location play a crucial role and actually lie at the core of these arguments. One of the two major arguments of the membership opponents is that Turkey’s being a “Muslim” country with 71 million inhabitants and having a young population prone to migration clearly have negative effects on the negotiation process for European Union (EU) membership. The fact that these negotiations are taking place in a political environment where “xenophobia” and “anti-immigrant tendencies” coupled with “islamophobia” are proliferating, underpins the arguments of those against Turkey’s membership.

On the other hand, another agenda-setting issue of the negotiation process lies in the fact that Turkey borders the EU and is situated on one of the important routes of irregular migration oriented to the EU. Thus, Turkey is expected by EU policy makers to play the role of cooperative and watchful gatekeeper in regard to the prevention of such migration.

It is possible to claim that from a typical “opponent” Eurocentric bureaucratic perspective, Turkey is perceived to be “an emigration country sending unwanted immigrants to Europe”. In other words, Turkey is marked by two contradictory positions, first as a potential “migrant” and simultaneously as an expected “gatekeeper”. Within this context, while the EU closes its gates to immigrants from Turkey, it requires the latter to struggle with transit migration, human trafficking and smuggling, and thus to amend its legislation on refugees and asylum seekers. To summarise, it is worth arguing that while the free movement of people is al-

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most excluded from the Turkey-EU negotiation process, the harmonisation of the legislation to prevent immigration towards Europe is high on the agenda.²

“Guest” Worker Experience and Afterwards

Briefly, the “fear of mass migration” from Turkey to Europe is one of the major arguments of the opponents. Some incidents of the “guest” worker experience of Europe in the 1960s actually constituted the basis for this perception. Even though the conditions in Turkey and thus the motivations for immigration from Turkey to the European countries has changed, since the 1960s, the “guest” worker experience itself is still vivid in the memories of the opponents. Nowadays, some officials and policy makers in Europe profess fear of a repetition of the immigration experience of “guest” workers in the case of Turkey’s EU membership. The scepticism generated by the fear of migration in this era makes it difficult to perceive the radical changes that both Turkey and the world have experienced.

In the 1960s, Turkey was an agrarian country with a closed economy at the edge of the Iron Curtain; its population was steadily growing and the urbanization process had just started. During that period, exporting labour to Europe was highly favoured by the Turkish political leaders as a means both to decrease the cost of a growing population and to finance development through the guest workers’ remittances to their country of origin. Meanwhile, without a doubt, the migration of the workers was not inaugurated by the workers themselves, but rather encouraged by the bilateral agreements between governments.

Today’s demographic indicators reveal important structural changes that Turkey has undergone in recent decades. This is to say that the pace of population growth in Turkey has decreased, the demographic transition process has been completed, and urbanisation has slowed down. In the 1960s, only 30% of the population was living in urban areas, whereas the results of the last census indicate that 75% of the population is living in urban areas today.³ Therefore, today’s policy makers in Turkey have to be concerned with a completely different agenda than in the 1960s.⁴

By all accounts, the 1960s were a turning point in the relations of Turkey with the rest of the world. The process of opening up of the borders of Turkey, which began in the 1960s with the sending out of migrant workers and with policies encouraging tourism, has influenced and increased the interactions between Tur-

² For further information, see www.egm.gov.tr. Asylum and Migration Legislation, National Action Plan and “Acquis of the European Union”: European Commission, Justice, Freedom and Security, October 2008.

³ For demographic indicators in Turkey see: www.tuik.gov.tr. For information on the results of the latest census based on residency see: *Türkiye İstatistik Kurumu Haber Bülteni* (14) 26. 01. 2009 (accessible at: <http://www.tuik.gov.tr/PreHaberBultenleri.do?id=3992>).

⁴ For a detailed analysis of the geographical, economic and social impacts of the urbanisation and demographic transformation process in Turkey see: Behar *et.al.* 1999.

key and the outside world. It is worth mentioning that these interactions have had immense economic, cultural, social and political impact in Turkey.

As far as issues of migration are concerned, Turkey is no longer a closed society, as there is a considerable proportion in the Turkish population of people who either live or have experienced living abroad. For example, statistics indicate that approximately 4 million Turkish citizens were living outside the country in 2004. Taking into account the migrants' relatives, returned migrants, retirees or those who have been naturalised in the receiving countries, the number increases significantly. Roughly, it can be estimated that 10 million people have experienced migration, including the groups cited above plus refugees and asylum seekers.

The crucial fact is that the extensive familial network in Turkey gives many people insight into the former migration experience. It is obvious that these valuable experiences and information influence the decisions of potential migrants. In this sense, nowadays, those who reside in Turkey are able to access information regarding living conditions, employment opportunities, unemployment, wages and democratic rights in the EU countries, as well as the social, cultural and political problems awaiting migrants such as xenophobia and islamophobia. To conclude, differently from the 1960s, Europe is no longer an unknown exotic area for most residents of Turkey.

Furthermore, the motivations as well as the destinations of Turkish migrants have changed since the 1960s. In this sense, Europe is not the sole destination for those who leave Turkey. Today, Turkish migrants who have experienced living in countries such as the US, Russia, Saudi Arabia and Libya also constitute a significant group, with differing motivations such as business, trade, education, tourism, etc.

Within this context, the records of the Ministry of Internal Affairs (*T.C. İçişler Bakanlığı*) reveal that 600 thousand people are applying for new passports each year. Statistics indicate that more than 9 million people are leaving the country and re-entering. The data prove that Turkish society is far more mobile and more informed about employment and other opportunities abroad when compared to the 1960s, and this development has clearly been fostered by globalisation. In this sense, living in a society where the immigration experience is persuasive, individuals and households are provided better means than before to evaluate many outcomes of migration such as employment opportunities, unemployment, political climate, democratic rights, xenophobia and islamophobia before deciding to emigrate.

New Population Movements and Turkey as a Country of Immigration

Up to the 1990s Turkey was considered a country of emigration, and thus migration policies and the related institutions were structured to regulate emigration. However, since the 1990s Turkey has been confronted with two different types of

unexpected migration movements. The first wave was made up of refugees and transit migrants coming from regional countries to escape violence in search of secure living conditions. The second wave brought circular migrants also coming from regional countries after the dissolution of socialist regimes and searching for opportunities to survive. Turkey has been caught unprepared by these vast migration movements due to the fact that institutional regulation of immigration was lacking.

Conventional refugee policy in Turkey was a heritage from the 1930s, which allows only migrants of Turkish origin from the Balkans to settle (Kirişçi 2002). The Law of Settlement, issued in 1934, has since governed refugee migration. According to this law, only those who are of “Turkish descent and culture” can migrate and settle in Turkey. However, under the impact of globalisation after the 1990s, regional conflicts, wars and crises resulted in millions of people having to leave their countries as political refugees and asylum seekers. In the meantime, Turkey has become a regional hub where asylum seekers fleeing numerous countries such as Iran, Bosnia, Iraq, and Afghanistan have sought refuge. This new influx of people was an unexpected experience for Turkey. Because of the restrictive Turkish regulations, asylum seekers entering Turkey either have to apply to United Nations High Commissioner for Refugees (UNHCR) offices in Turkey to be resettled in third countries or have to seek out “human smugglers” and wait for appropriate conditions to make their way to Europe illegally. For this migrant group, Turkey represents a waiting room where their duration of stay is unknown. These transit migrants oriented to Europe through Turkey highly influence Turkey-EU relations, and they are the most mentioned migrant group in the negotiation process.

It is difficult to estimate the accurate number of asylum seekers, refugees and other transit migrant groups waiting to enter Europe from Turkey. According to data provided by the General Directorate of Security (*Emniyet Genel Müdürlüğü*), the number of those caught by the police and gendarmerie for illegal border crossing is around 50 thousand each year. Unfortunately, the media only pays attention to publicly invisible groups of transit migrants when they are caught by the police or their dangerous journeys organized by human smugglers end in death. In interviews conducted about transit migrants, public authorities commented on the difficulty of regulating this migration movement. In their accounts, they brought up issues regarding the provision of housing, health and other services to illegal migrants caught by the police or gendarmerie. Such challenges arising from the lack of institutional, legal and financial frameworks are also salient in the repatriation of migrants. The authorities particularly emphasised the importance of cooperation and burden sharing with the EU for regulating this migration movement under “humanitarian” conditions (İçduygu 2003).

The second important new migration movement to Turkey originates in former Soviet countries. As a result of the end of rigid border regimes since the 1990s, thousands of people from neighbouring countries such as Russia, the

Ukraine, Armenia, and Georgia have started to enter Turkey for various purposes, namely work, trade, shopping and tourism. Today, 40% of those who enter Turkey with tourist visas are from neighbouring countries.

In the era where Fortress Europe was constructed, the opening up of this new geography to population movements and trade that had remained out of reach for a long period of time provided new opportunities for Turkish residents. In this sense, it is observable that a considerable number of Turkish businessmen, contractors of building firms, traders and workers have been regularly travelling to the post-Soviet countries. This reciprocal population movement has resulted in obvious economic, political and cultural networks in the region.

As the term "circular migration" expresses, individuals involved in this new population movement do not intend to settle permanently; thus the term refers to a short term, flexible type of migration. Research on circular migration indicates that individuals and groups involved in this type of migration benefit from and supply the deficiencies of the market in terms of labour, services and goods, while taking into account legal loopholes. In this sense, circular migration is a creative, transitional and dynamic type of migration resulting in different outcomes in each context. As opposed to transit migrants and political refugees, those involved in circular migration carry on their relationship with the sending countries and endeavour to possess legal documents and to abide by the rules regulating border crossing.⁵

It is acknowledged that Turkey receives 4 million people from post-Soviet countries yearly. Nevertheless, there is no relevant data to confirm the proportion of those who enter Turkey for the purpose of work or trade. Existing research reveals that irregular migrants work informally mostly in sectors such as construction, agriculture, textile, domestic work and sex work. The dynamism and wide scope of the informal sector in Turkey create a suitable environment for foreigners to be employed. On the other hand, the legal framework in Turkey, which makes it difficult for foreigners to acquire work permits, renders the living conditions of migrant workers vulnerable. Thus, it is often observed that especially women migrant workers are deceived and abused within informal networks. In the same vein, this situation has fostered discussions on the trafficking of women in Turkey (Erder/Kaşka 2003).⁶

These newly developing interactions between Turkey and its neighbouring countries clearly have multidimensional economic, social and cultural impacts which require comprehensive and comparative studies. However, the policies are not clear enough; moreover, they are contradictory to these interactions. On the one hand, it is observable that authorities in Turkey do not seem to be con-

⁵ The impacts of circular migration, mostly seen within regions governed by liberal border regimes, would constitute an interesting research topic.

⁶ On the conditions of work permits for foreigners in Turkey, see: Arı 2007.

cerned about this population movement and refrain from hindering it. On the other hand, the reluctance of the same authorities to improve the living conditions of foreigners leads to the conclusion that migrant workers in Turkey are not desired as permanent residents (Erder 2008).

Authorities concerned with Turkey's financial problems underscore the significant contribution of circular migration movements to the Turkish economy. In fact, income generated only by "suitcase trade" is officially estimated to be 6.2 million US-Dollars each year.⁷ These relations that have continued for the last 15 years and have gradually become institutionalized are maintained not only through suitcase trade, but also through formal exports. The ways in which Turkey's relations to the Post-Soviet region will be shaped by Turkey's EU accession process is an important issue for discussion.⁸

To sum up, today's Turkey vastly differs from that of the 1960s in regards to both its structural features and its position within international population movements. Turkey has remained at the edge of Fortress Europe today; however, it has intensified its relationships with a very different geographical area. Turkey has transformed from a migrant-sending country in the 1960s to a migrant-receiving country today. Nonetheless, it would be misleading to argue that Turkey's migration policy has complied with the dynamics of this transformation process. Turkey, while longing for an opening up, continues to close its gates to foreigners. There is a requirement for new policies and institutional regulations for foreigners who come to Turkey to seek asylum, work or settle. Unfortunately, the current dominant political environment concerning migration and xenophobia – also influential in Turkey –, hinders the introduction of regulations in favour of foreigners. Perhaps, one can only hope for a new era where migration movements are not perceived as "crimes" so that more humanitarian policies towards immigration and foreigners can be developed.

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⁷ Remittances sent by Turkish workers abroad, on the other hand, are approximately 1 million US-Dollars per year. For annual income estimations of the Department of Treasury on remittances and suitcase trade, see: www.hazine.gov.tr/irj/go/km/docs/documents.

⁸ In this sense, comparative analyses of the experiences of EU membership of countries such as Poland, Romania and Bulgaria would be meaningful.

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